

## FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 203

The claims are so inadequately supported by the description that no meaningful opinion can be formed on the novelty and inventive step of the claimed invention (Art. 34(4)(a)(ii) PCT).

The claimed invention is a method and device for recording information on a recordable multi-layer record carrier. However, the description lacks a disclosure of mechanical, physical and optical characteristics of the carrier, of the format of the data and of the volume and file structure of the data on such a record carrier. No disclosure of a recordable multi-layer record carrier, and of a device/method for recording thereon, was referred to in the application or belonged to the common general knowledge at the filing date.

Furthermore, according to the description (page 1, lines 25-28, page 2, lines 1-4 and 15-18) a method and device according to the invention need to establish a "layer transition point" within the specifications of the DVD standard. In order to carry out this aspect of the invention, the skilled person needs at least this DVD standard. The established DVD standards defining the DVD volume and file structure are sold under a non-disclosure agreement by the DVD forum (see <http://www.dvdfllc.co.jp>). Therefore the DVD standards are not available to the public in the sense of Rule 33.1(a) PCT.

In view of the above, the invention is insufficiently disclosed, contrary to Art. 5 and Rule 5.1(a)(v) PCT. A meaningful search can not be carried out (Art. 17(2)(a)(ii) PCT).

The applicant's attention is drawn to the fact that claims relating to inventions in respect of which no international search report has been established need not be the subject of an international preliminary examination (Rule 66.1(e) PCT). The applicant is advised that the EPO policy when acting as an International Preliminary Examining Authority is normally not to carry out a preliminary examination on matter which has not been searched. This is the case irrespective of whether or not the claims are amended following receipt of the search report or during any Chapter II procedure. If the application proceeds into the regional phase before the EPO, the applicant is reminded that a search may be carried out during examination before the EPO (see EPO Guideline C-VI, 8.5), should the problems which led to the Article 17(2) declaration be overcome.